

**UNITED STATES OF AMERICA**  
**IN THE WESTERN DISTRICT OF MICHIGAN – SOUTHERN DIVISION**

Derek Antol, individually and as next friend of    File No: 1:17-cv-613  
DSAII, a minor, and Devon S. Antol, and Tryston Antol,  
Plaintiffs,

v.

Adam Dent, Kate Straus,  
Casey Bringedahl, Casey Trucks,  
Pete Kutches, and Western Michigan  
Enforcement Team, a public  
body organized under the laws of the  
State of Michigan,  
Defendants,

Hon. Janet T. Neff  
U.S. District Court Judge

---

**PLAINTIFFS' OPPOSITION TO MOTION FOR SUMMARY JUDGMENT BY  
DEFENDANTS DENT, STRAUS, BRINGEDAHL, AND KUTCHES**

Attachment 10 – deposition of DSA, a minor

<p style="text-align: center;">Page 1</p> <p>UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN</p> <hr/> <p>) DEREK ANTOL, individually, next ) friend of DSA and DSA II, minors, ) and TRYSTON ANTOL, ) ) Plaintiffs, ) ) -vs- )No. 1:17-cv-00613 ) Judge Neff ) ADAM DENT, KATE STRAUSS, CASEY ) BRINGEDAHL, CASEY TRUCKS, PETE ) KUTCHES, and WESTERN MICHIGAN ) ENFORCEMENT TEAM, a public body ) organized under the laws of the ) State of Michigan, ) ) Defendants. )</p> <hr/> <p><b>DEPOSITION</b> of D. ANTOL, JR., a Plaintiff called by Defendants, taken before Tamara Staley Heckaman, Certified Shorthand Reporter and Notary Public, at 2851 Charlevoix Drive, SE, Suite 327, Grand Rapids, Michigan, on Thursday, June 28, 2018, noticed for the hour of 9:30 a.m.</p> <p>HECKAMAN &amp; NARDONE, INC. Certified Shorthand Reporters P.O. Box 27603 Lansing, Michigan 48909 (517) 349-0847 heckaman@live.com</p>	<p style="text-align: center;">Page 3</p> <p>1 Grand Rapids, Michigan 2 Thursday, June 28, 2018 3 9:50 a.m. 4 R E C O R D 5 D. ANTO, JR., 6 having been duly sworn, testified as follows: 7 EXAMINATION 8 BY MR. SADOWSKI: 9 Q. Good morning. I'm Adam Sadowski. I 10 represent defendant Trucks in this case, and have 11 you ever had your deposition taken before? 12 A. Nope. 13 Q. Well, all it basically is just kind of 14 a question and answer session. I'm going to ask 15 you some questions about your background and what 16 happened on the day that the house you were in was 17 searched and any repercussions from that. 18 If you need to use the restroom or 19 take a break for any reason, that's fine, just let 20 me know. I just ask if I have a question pending 21 that you answer the question, okay? 22 A. All right. 23 Q. All responses need to be verbal because 24 the court reporter can't take down nods of the 25 head or shrugs of the shoulders.</p>
<p style="text-align: center;">Page 2</p> <p>1 APPEARANCES: 2 BOSTIC &amp; ASSOCIATES 3 909 North Washington Avenue 4 Lansing, Michigan 48906 By 5 J. NICHOLAS BOSTIC, J.D. 6 On behalf of Plaintiffs. 7 CUMMINGS, MCLOREY, DAVIS &amp; ACHO, PLC 8 327 Centennial Plaza Building 9 2851 Charlevoix Drive, SE 10 Grand Rapids, Michigan 49546 By 11 CURT A. BENSON, J.D. 12 On behalf of Defendants Dent, Strauss, Bringedahl &amp; Kutches. 13 MICHIGAN DEPARTMENT OF ATTORNEY GENERAL 14 CLEE Division 15 P.O. Box 30736 16 Lansing, Michigan 48909 By 17 ADAM P. SADOWSKI, J.D. 18 On behalf of Defendant Trucks. Also Present: Derek Antol 19 Devon Antol EXAMINATION INDEX ATTORNEY'S NAME EXAMINATION RE-EXAMINATION BY MR. SADOWSKI: 3 BY MR. BENSON: 19 * * * INDEX OF EXHIBITS EXHIBIT MARKED None.</p>	<p style="text-align: center;">Page 4</p> <p>1 A. All right. 2 Q. If you answer my question I'm going to 3 assume that you understand it, but if you don't 4 understand the question please ask me to rephrase 5 it and I'll gladly do so. 6 Other than that why don't you state 7 your full name for the record, please? 8 A. All right, D. S. Antol. 9 Q. How old are you? 10 A. 16, 17 August 17th. 11 Q. Are you currently in school? 12 A. Nope. 13 Q. Okay. 14 MR. ANTOL: Yes, you are. 15 MR. SADOWSKI: Well -- 16 MR. ANTOL: It's summertime. 17 MR. SADOWSKI: It's summertime, yes. 18 THE WITNESS: Summer, but yeah. 19 BY MR. SADOWSKI: 20 Q. I appreciate the literal responses. Yes, 21 you are not currently sitting in school or 22 attending school, but you're going to be a junior, then, or a sophomore this fall? 23 A. Junior. 24 Q. Junior, okay. And at what school?</p>

<p style="text-align: right;">Page 5</p> <p>1 A. Reeths-Puffer High School.      2 Q. All right. Let's see, have you ever been      3 arrested?      4 A. Nope.      5 Q. Well, let's just go right to the day of      6 the incident. Why don't you tell me what's the      7 first thing you remember about that day?      8 A. From the beginning from when I woke up      9 or...      10 Q. Well, let's talk about, yeah, when you      11 woke up, and I assume that was when the officers      12 were there.      13 A. It was -- well, like in the morning or      14 when I woke up to the officers?      15 Q. Let's start with the officers -- well,      16 actually, might as well start in the morning.      17 MR. BENSON: Clarify the address too      18 because there's two houses, if you don't mind.      19 MR. SADOWSKI: Okay, that's right,      20 sorry.      21 BY MR. SADOWSKI:      22 Q. On the day of the incident what house      23 were you at?      24 A. 1769 North Green Creek.      25 Q. Take me from when you woke up that</p>	<p style="text-align: right;">Page 7</p> <p>1 drawn?      2 A. Nope, not as far as I could see. He was      3 in the back so -- it's not a very wide doorway for      4 three men to be standing in so...      5 Q. What woke you?      6 A. Them. They were standing -- they were      7 waiting for me to wake up. They were just      8 standing there with their guns drawn on me, and as      9 soon as they noticed I was up they told me -- as      10 soon as they noticed I was aware of what was going      11 on they told me to get to the end of my bed.      12 Then the one, the redhead, he walked      13 towards me. He lowered his weapon. The other one      14 went over to the closet, still had his weapon out,      15 searched the closet, and after he searched the      16 closet he went to search underneath my bed. The      17 other officer that came towards me originally, he      18 went to search my dresser, and then so that way we      19 were fairly in my room very shortly.      20 After they searched that then we      21 just took me through the hallway, through the      22 kitchen/dining room, outside. And after that we      23 went off to the hillside of the house. They had      24 me call my mom. Then after they got ahold -- or I      25 got ahold of her they talked to her for a minute,</p>
<p style="text-align: right;">Page 6</p> <p>1 morning and just through the day.      2 A. I woke up for hockey. I believe that was      3 at 8:30, that was about an hour-and-a-half long,      4 so I went to that. Came back after hockey, came      5 back to the house, got something to eat, took a      6 nap, and when I woke up from my nap that's when I      7 saw the officers in my doorway.      8 Q. When you woke up how many officers did      9 you see?      10 A. There were three.      11 Q. Three?      12 A. Two WMET in the front and the state      13 officer was in the back.      14 Q. How did you know who was who?      15 A. There was -- the two in the front were      16 plain clothes. The other one was in uniform.      17 Q. And you say the other one, was that the      18 state trooper that was in uniform?      19 A. Yeah, he was in the back.      20 Q. Did any of the officers have a weapon      21 drawn?      22 A. Yup.      23 Q. Which officers?      24 A. The two in the front, the WMETS.      25 Q. The state trooper did not have a weapon</p>	<p style="text-align: right;">Page 8</p> <p>1 told them what was going on. Told them that they      2 needed to come pick me up.      3 Then after that, after we were off      4 the phone, they went and sat me down at the bottom      5 of the hill, somewhat backyard, sat me down in a      6 chair that was down there until my parents got      7 there.      8 Q. Okay. You said that they were just      9 standing there when you woke up. Did they shout      10 anything to you to wake you up or...      11 A. Yeah. They said that they had to say and      12 wake me up like say some stuff. Tried yelling at      13 me to get up. I'm a pretty heavy sleeper so,      14 yeah, they had to wake me up.      15 Q. Do you remember what they said?      16 A. I have no idea.      17 Q. What's the first thing you remember being      18 told?      19 A. They just -- as soon as they -- I was      20 aware of what was going on they told me instantly      21 to get to the end of my bed.      22 Q. Okay. I'm assuming you did that?      23 A. Yup. Oh, yeah.      24 Q. What did they say after --      25 A. They didn't really say much of anything</p>

<p style="text-align: center;">Page 9</p> <p>1 while we were in the house after that. They were 2 just going through the room. That's the only 3 thing they said after that is when they told me we 4 were going to be going outside. 5 Q. You said that they had the weapons drawn. 6 Was it a firearm or -- 7 A. Oh, yeah, firearm, yup. 8 Q. So it couldn't have been a taser? 9 A. Nope. 10 Q. You talked about different officers 11 looking under your bed and so forth. What was the 12 state trooper doing at that time? 13 A. See, the two WMET came in my room. The 14 state boy, he went into the bathroom immediately 15 after I was woken up and went to the end of the 16 bed. He went and he continued to the bathroom, 17 which is right next to my room because my room is 18 at the end of the hall. He went -- proceeded to 19 the bathroom and was going through the closets and 20 drawers in there. 21 Q. Could you see the bathroom from your room? 22 A. No, but it's -- you could use heard. 23 Like I said, the weren't talking. The WMET officers weren't talking in my room, so it was</p>	<p style="text-align: center;">Page 11</p> <p>1 A. Yeah, I heard the click. I heard doors and cabinets being opened. 3 Q. I understand what you're saying. I'm 4 just -- the door would click for -- the door 5 itself but the cabinet door wouldn't click, 6 correct? 7 A. No, obviously, no. No, the door clicks. 8 The cabinet you can just hear it. They open and 9 shut. 10 Q. Does it creak? 11 A. No, you just hear it hit against the wood. 13 Q. Okay. 14 A. I mean, I don't really know how to 15 explain how a cabinet -- 16 Q. No, I just want to know how you know. 17 A. -- should sound as a cabinet. 18 Q. You're saying that he searched the cabinets and I just want to know how you -- 20 A. I mean, if you had a cabinet in here I could show you but... 22 Q. And then you said you heard drawers open as well? 24 A. We don't have -- it's just cabinets and 25 doors in there. There's not any drawers.</p>
<p style="text-align: center;">Page 10</p> <p>1 very easy for me to hear the other officer opening 2 doors in the bathroom. 3 Q. In the bathroom -- or obviously there's a 4 door to walk in the bathroom. Are there any other 5 doors in that bathroom? 6 A. There's the main door and then you walk in. There's like a really small mini closet and then there's another separate door to where the actual toilet is and the shower. 10 Q. Could it have been possible the sounds you were hearing were doors being opened to check where the toilet is and so forth? 13 A. A cabinet -- opening a cabinet is much different than hearing a door shut, don't you think? 16 Q. Well, I'm asking the questions. Why don't you tell me what you think the difference is? 19 A. Well, the door obviously clicks when you shut it -- 21 Q. Okay. 22 A. -- so... 23 Q. You heard the click -- 24 A. Oh, yeah. 25 Q. -- or you didn't hear the click?</p>	<p style="text-align: center;">Page 12</p> <p>1 Q. So there's no drawers to go through. 2 There's -- is there a medicine cabinet then? 3 A. There's -- yeah, the medicine cabinet is 4 up above and then there's like another big type 5 towel -- cabinet type thing that you can put the 6 towels in. We've got some stuff in there and 7 that's -- there's three doors. The cabinet door 8 is right there. 9 Q. Do the doors, do they have handles on 10 them for the cabinets? 11 A. Nope, they're just -- just a piece of 12 wood. You've got to grab it kind of by the lip 13 and it opens. 14 Q. Okay, is it magnetic at all? 15 A. I don't believe so. 16 Q. So the cabinets that you say he could 17 have gone through would have been the medicine 18 cabinet and a towel cabinet? 19 A. Yeah. 20 Q. Was there anything else besides opening 21 the door to the toilet area that the state trooper 22 could have went through in the bathroom? 23 A. No. 24 Q. Do you know how long the trooper was in 25 that bathroom?</p>

<p style="text-align: center;">Page 13</p> <p>1 A. I have no idea. There is -- he was still 2 in the house after I was taken outside. 3 Q. How long after you were taken outside 4 that the trooper came out of the house? 5 A. Honestly I'm not sure. He -- because I 6 was down -- I didn't even see him really after I 7 was down put on the hill after I was outside. 8 MR. ANTOL: Where they took him was 9 down behind the sight line of the house, so if he 10 would have came out of his front door he could 11 have been standing out there on his radio or 12 something and he wouldn't have seen it because 13 it's down behind the sight line where he could 14 have seen anybody coming or going from the 15 doorway. 16 MR. SADOWSKI: All right. 17 BY MR. SADOWSKI: 18 Q. You would agree with that statement? 19 A. Yes. 20 Q. Did you ever see that trooper again? 21 A. Nope. 22 Q. Besides searching the bathroom do you 23 know any other areas specifically that the trooper 24 searched? 25 A. I don't know specifically if he searched</p>	<p style="text-align: center;">Page 15</p> <p>1 Q. Do you know how -- 2 A. Once they got there they just went up and 3 talked to them first and then -- it was just 4 shortly and then we left so... 5 Q. Do you know how long you would have been 6 waiting for your parents to arrive if you recall? 7 A. I don't know for sure. I'd say it's -- 8 it was roughly ten, fifteen minutes. 9 Q. Approximately what time of day was this? 10 A. I'm -- I'm honestly not sure. 11 Q. Afternoon, evening? 12 A. Evening-ish I guess. I'm not completely 13 sure. 14 Q. That's fine. When was the next time that 15 you went back into the house? 16 A. The next time I went back into the house 17 was that night when we got back with my parents. 18 Q. Did you go through all your belongings 19 and that? 20 A. When I got home? 21 Q. Yes. 22 A. Oh, yeah, oh, yeah. I had to clean up my 23 whole room. 24 Q. Were any of your belongings taken? 25 A. Not as far as I know.</p>
<p style="text-align: center;">Page 14</p> <p>1 them. I know that they continued to my brothers' 2 rooms and that's it. 3 Q. But you're not sure whether it was WMET 4 officers or whether it was -- you don't know if it 5 was the trooper or the other officers, correct? 6 A. I'm not sure. I just know that the state 7 officer searched the bathroom and the WMET took me 8 outside while he was doing that after they had 9 obviously went through my room. 10 Q. Do you remember anything that the trooper 11 said? 12 A. He didn't say anything as far as I know. 13 It was mostly just the WMETs talking. There was 14 very little that they did. 15 Q. Okay. Why don't you tell me what 16 happened after you went down the hill and you 17 called your parents? 18 A. Nothing really. It was they just went on 19 the hill. They had me dial my mom's number in 20 their phone, just called them quick. After we got 21 off the phone with them we just went -- there 22 was -- we had a few plastic chairs sitting down 23 there at the bottom of the hill down there, so 24 they just had me sit down there and really just 25 sat there in silence until my parents got there.</p>	<p style="text-align: center;">Page 16</p> <p>1 Q. You said you had to clean up your room. 2 What was in disarray? 3 A. Pretty much everything. All of my 4 clothes were everywhere, all my drawers were taken 5 out. Everything was out of place. 6 Q. Do you know how much of that disarray or 7 mess you could say was from when they went into 8 the house while you were still in it? 9 A. There was -- my room wasn't as bad as my 10 brothers' rooms but they -- really they'd -- they 11 took the -- they didn't really have to take the 12 clothes out of my drawers, my one dresser drawers, 13 but I have a lot -- I have like clothes bins 14 underneath my bed, so they had all those clothes 15 out and they moved my bed. 16 And then they took my -- the desk 17 that I had, they took all the stuff out of the 18 drawer in there, and then I had another like cubby 19 in the bottom and they took all the stuff out of 20 that. They pretty much just had everything laid 21 out on the floor. 22 Q. Okay. How has this incident affected 23 your life? 24 A. Well, I was in Boy Scouts when I lived 25 with my aunt for I'd say four or five years. My</p>

<p style="text-align: right;">Page 17</p> <p>1 Boy Scouts' leader, he was actually really good 2 friends with a couple cops. We'd go down to the 3 sheriff office and stuff all the time, go down 4 there, and meet and greats and stuff, hang out 5 with the cops. I used to want to be a cop. Go to 6 do that.</p> <p>7 And ever since that, man, I won't 8 even go in a gas station no more if there's a cop 9 in there. I'll just wait until he leaves or I'll 10 just go to a different gas station. I'm not 11 comfortable with them. I won't even talk to the 12 cops at my school no more.</p> <p>13 Q. When were you in the Boy Scouts? 14 A. This was I'd say roughly like 2008 to 15 2012.</p> <p>16 Q. So it was -- you quit the Boy Scouts a 17 few years before this incident?</p> <p>18 A. Yeah, it was -- yeah, it was by -- see, I 19 got out of Boy Scouts when I moved in with my dad.</p> <p>20 Q. Okay. At the time you were in the Boy 21 Scouts you said you were living with your aunt? 22 A. Yup. 23 Q. Why were you living with your aunt? 24 A. Because I was taken away from him at a 25 very young age.</p>	<p style="text-align: right;">Page 19</p> <p style="text-align: center;">EXAMINATION</p> <p>1 BY MR. BENSON: 2 Q. Derek, I'm Curt Benson. I represent the 3 WMET officers. 4 A. All right. 5 Q. And some of the questions I have are just 6 some clarification, okay? How old were you when 7 this happened? 8 A. I believe I was 12, I believe. 9 Q. 12-years-old? 10 A. Um-hum. 11 Q. Okay. And you had said you had gone to 12 play hockey. The one thing I don't have very good 13 is a timeline, so can you tell me when you got up 14 and went to play hockey? 15 A. I believe practice that morning was at 16 8:30. 17 Q. And where was the practice? 18 A. It was at the L.C. Walker Arena where the 19 Lumberjacks play. 20 Q. Was this a school hockey? 21 A. Nope, it was just -- 22 MR. ANTOL: Travel hockey. 23 THE WITNESS: Just travel, yup. 24 BY MR. BENSON:</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. And then you obviously went back to live 2 with your dad. When did you originally go back to 3 live with him? 4 A. I'm not too sure of the date. Do you 5 know a date? 6 MR. ANTOL: October 2012. 7 THE WITNESS: All right.</p> <p>8 BY MR. SADOWSKI: 9 Q. Besides what you've already said about 10 how it's affected your life is there any other 11 ways that this incident has affected your life? 12 A. Not really. I'm just trying to forget 13 it. Honestly it's not something that I want to be 14 thinking about 24/7. It's something that I've 15 really tried not to talk about. 16 Q. Okay. Did this incident affect you any 17 way financially? 18 A. No. 19 MR. SADOWSKI: To be honest, Curt, I 20 imagine you're going to have a lot of questions 21 probably following up with the WMET and other 22 officers so if you want to go ahead I'll -- I 23 might have just a few follow-ups but I'm -- it's 24 pretty straightforward. 25</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. I'm sorry, what was that? 2 A. Just travel hockey. 3 Q. Travel hockey, okay. And how did you get 4 there? 5 A. I believe my dad just dropped me off. 6 Q. Who was living at the house at the time? 7 A. There was me, my brothers, I believe just 8 my mom and dad. 9 Q. Okay. So you say your brothers. What 10 are your brothers' names? 11 A. Devon Antol and Tryston Antol. 12 Q. And what's your mom's name? 13 A. Samantha Conklin. It's my stepmom but... 14 Q. Yeah, I understand, okay, and of course 15 your dad. Is it a two story house? 16 A. Yup. 17 Q. And are all the bedrooms on the second 18 floor? 19 A. No, there's -- there's the basement and 20 then my room and my brothers' rooms are on like 21 the main floor, and my parents' room are up on the 22 top floor. 23 Q. Gotcha. So your room is actually on the 24 main floor of the house? 25 A. Yup, yup.</p>

<p style="text-align: right;">Page 21</p> <p>1 Q. So you went to practice around 8:30. 2 Your dad dropped you off. Do you remember when 3 you got back home and do you remember how you got 4 home? 5 A. Well, I was picked back up by my dad and 6 I was brought home. Like I said it was -- 7 practice was an hour-and-a-half roughly. 8 Q. Okay. 9 A. And then it probably took me about 10 fifteen minutes to get undressed out of my gear 11 and maybe another ten minute ride home, less than 12 that. 13 Q. Okay. And did your dad just drop you off 14 or did he come in, do you remember? 15 A. He -- I believe he just -- I think he 16 came in, went to the bathroom, and he grabbed some 17 stuff and left and... 18 Q. Your dad grabbed some stuff? 19 A. Yeah, I just -- yeah, I just came home, 20 got something to eat, and went to bed. I'm not 21 too sure what he -- 22 Q. I appreciate that, and I'm obviously 23 focused on you. I was just trying to get a 24 context here. Who was in the house when you got 25 home?</p>	<p style="text-align: right;">Page 23</p> <p>1 Q. Were you under the covers? 2 A. No, I was just -- nope, I was just laying 3 on top of the bed. 4 Q. Lying on top of the bed, okay. And you 5 mentioned the electrician. What's his name? 6 THE WITNESS: Was it Mike? 7 MR. ANTOL: Um-hum. 8 THE WITNESS: All right, yeah, Mike. 9 BY MR. BENSON: 10 Q. And I thought you just said Mike left. 11 Was he not there when you went to bed or was he 12 there? 13 A. No, Mike, he was -- 14 MR. ANTOL: He was there all day. 15 MR. BENSON: I'm sorry, one at a 16 time. You can't both be talking at the same time. 17 BY MR. BENSON: 18 Q. So do you want to answer the question? 19 A. He left -- you guys -- the WMET officers 20 sent him home. They made him leave. 21 Q. You saw that? 22 A. No, that's what -- he was leaving. Like 23 they -- I mean, like they -- he was there and he 24 left. Like he was packing his stuff up because he 25 had all his stuff out.</p>
<p style="text-align: right;">Page 22</p> <p>1 A. I don't really know for sure. All I know 2 is that my -- I don't know if my brothers were 3 there or not. The only person that I really knew 4 was there was our electrical guy that was in the 5 back garage and then obviously my dad. 6 Q. Okay. So after your dad dropped you off 7 your dad went back to work? 8 A. I'm -- 9 Q. Or he left? 10 A. He left. 11 Q. Okay. You don't necessarily know where 12 he went but he was gone? 13 A. Yeah. 14 Q. So all you know for sure is you were 15 there and the electrician was there, correct? 16 A. Yeah, because I instantly went to bed. I 17 just knew that the electrician was there, and I 18 just know that he left when I went to take a nap. 19 Q. So you went to take a nap, and was it 20 around 10:30 then, 11? Is my timeline okay? 21 A. I'd say yeah. 22 Q. Okay. And did you get into pajamas and 23 get under covers or how do you nap? 24 A. I mean, it was obviously a warm day. I 25 was just wearing a T-shirt and shorts so...</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. So when you got home you saw him packing 2 all of his stuff up? 3 A. No, this is -- they sent -- after the -- 4 after the WMET woke me up -- 5 Q. Okay. 6 A. -- and they took me outside, he was 7 getting his shit together and leaving. 8 Q. Gotcha. Thank you, because I thought -- 9 and that was my mistake then because I thought you 10 said he left before you went and took a nap? 11 A. No, no. 12 Q. Thank you, that's why I asked the 13 clarification. So he was still working when you 14 were there? 15 A. Yeah. 16 Q. And do you know what he was doing? 17 A. Seemng how he's an electrical guy I 18 assume he was doing electrical. 19 Q. But you don't know what? He wasn't 20 putting new lights up; he wasn't fixing old 21 lights? Was he working in the house or was he 22 working in -- 23 A. He was working on the garage, I assume. 24 He might have been -- I know we had just set up 25 electrical fencing for our horses, so he might</p>

<p style="text-align: center;">Page 25</p> <p>1 have been doing something with the circuits back 2 there so I'm not too sure. 3 Q. All right. 4 A. I just know he was there. 5 Q. And was he coming in and out of the house 6 a lot when you were there? 7 A. No. 8 Q. Was he outside most of the time then? 9 A. Yup. 10 Q. Now, the other thing you had -- and, 11 again, this is probably me being somewhat 12 confused, but early on I thought you said that 13 there were two WMET officers out front and one in 14 the back, the state trooper in the back? 15 A. Um-hum. 16 Q. Is that a yes? 17 A. Yup. 18 Q. Okay. Is that in front of the house and 19 in back of the house or were you talking about the 20 bedroom? 21 A. In the doorway. 22 Q. In the doorway. 23 A. He was in the doorway. 24 Q. Okay, that's why I'm asking. So you were 25 asleep. You describe yourself as a heavy sleeper?</p>	<p style="text-align: center;">Page 27</p> <p>1 up what did you see? And I'm specifically asking 2 about weapons drawn, so you woke up, what did you 3 see? 4 A. I just woke and they had their guns 5 pointed up, and then as soon as they noticed that 6 I was up and aware of what was going on they just 7 told me to get to my bed, and then they instantly 8 came in and started searching. The one guy came 9 towards me and the other one went to the closet 10 instantly. 11 Q. Was the gun pointed at you? 12 A. Yup. 13 Q. Two guns or one? 14 A. Two. 15 Q. And I know you say they told me to do 16 this. To the best of your recollection 17 specifically what did they say when the gun was 18 pointed at you? 19 A. They told me -- they just said get to the 20 end of the bed. 21 Q. Okay. 22 A. They said put your hands up and get to 23 the end of the bed. 24 Q. Like in a sitting position, the hands 25 like this?</p>
<p style="text-align: center;">Page 26</p> <p>1 A. Um-hum. 2 Q. Yes? 3 A. Yes. 4 Q. She has to write it down. So you didn't 5 hear them at all knock or come in; you only woke 6 up when they were actually in your doorway? 7 A. Yup. 8 Q. And do you remember who spoke first? 9 A. I do not. 10 Q. Do you remember what was said first? 11 A. They just told me to get to the end of my bed. 12 Q. Okay. Was it one person who said that or all three of them? I'm trying to get an idea who's doing the talking. 13 A. Just one of them. I don't know who it was. I just know one of them said it. 14 Q. And you called them WMET officers. How did you know they were WMET officers? 15 A. Because they were plain clothes. They had their, what is that called, like the vest type thing on. That's what they had on. 16 Q. Does it say WMET on it, the vest? 17 A. Yeah. 18 Q. Okay. And when you say -- when you woke</p>	<p style="text-align: center;">Page 28</p> <p>1 A. Just said put your hands up where we can see them and get to the end of the bed. 2 Q. And you complied, I assume? 3 A. Yup. 4 Q. And they stopped aiming the guns at you, 5 correct? 6 A. The one -- yup, yup. The one that came 7 towards me put his gun to his hip, and the other 8 guy, he continued to the closet with it out. 9 Q. And he started searching the closet. 10 Now, you had mentioned that you were, quote, taken 11 outside. Were you ever handcuffed? 12 A. Nope. 13 Q. How were you escorted outside? Did 14 somebody just say come with me? 15 A. They just told me that they were going to 16 take me outside, yeah. They had me walk in front 17 of them and then they followed me out. 18 Q. And when you say they, all three of them? 19 A. No, it was the two WMET officers and 20 then -- yeah, and the other guy stayed in. 21 Q. The trooper did? 22 A. Yup. 23 Q. All right. And so we talked about you 24 went outside. When you were waiting for your</p>

<p style="text-align: center;">Page 29</p> <p>1 parents did you have any conversations with any 2 officers?</p> <p>3 A. Nope.</p> <p>4 Q. Okay. Were you crying?</p> <p>5 A. Nope.</p> <p>6 Q. Were you shaking?</p> <p>7 A. (Shaking head.)</p> <p>8 Q. Is that a no?</p> <p>9 A. Nope.</p> <p>10 Q. Were you angry?</p> <p>11 A. Nope.</p> <p>12 Q. Confused?</p> <p>13 A. Yeah, a little bit confused.</p> <p>14 Q. Did you have any idea what was going on?</p> <p>15 A. Not necessarily. I mean...</p> <p>16 Q. I mean, you understand they were 17 searching the house, correct?</p> <p>18 A. Yeah.</p> <p>19 Q. Did you know what they were looking for?</p> <p>20 A. Not necessarily, no.</p> <p>21 Q. Prior to this have you ever had an 22 encounter with the police?</p> <p>23 A. Not a bad one. Like, I mean, like I told 24 you, I'm in Boy Scouts. I went and -- we went to 25 the sheriff office all the time and we'd go do</p>	<p style="text-align: center;">Page 31</p> <p>1 A. It's -- I'm not too sure the address. I 2 just know that the road is Castle Avenue.</p> <p>3 Q. And do you remember your Boy Scout troop?</p> <p>4 A. I do not.</p> <p>5 Q. Do you remember your scoutmaster's name?</p> <p>6 A. I know it was Trent. I'm not too sure 7 what his last name is.</p> <p>8 Q. And Trent was friends from the sheriff's 9 department?</p> <p>10 A. Yup, yup.</p> <p>11 Q. And you would actually go to the 12 department?</p> <p>13 A. Yeah, because I was -- it was -- I had -- 14 there was Trent and then another one of the Boy 15 Scouts in my group, his -- it was West, Jared 16 West. Yeah, it was Jared West's dad was 17 actually -- he was actually part of the -- I think 18 he was -- I think he works as a security guard or 19 something.</p> <p>20 MR. ANTOL: He's a correctional 21 officer.</p> <p>22 THE WITNESS: Okay, yeah.</p> <p>23 MR. BENSON: I'm sorry, he's what?</p> <p>24 MR. ANTOL: He's a corrections 25 officer.</p>
<p style="text-align: center;">Page 30</p> <p>1 that, but otherwise, no.</p> <p>2 Q. You never got even like a speeding ticket 3 or --</p> <p>4 A. No.</p> <p>5 Q. I mean, you were young obviously. You 6 were only 14 so, okay.</p> <p>7 A. Twelve, but yeah.</p> <p>8 Q. Twelve I'm sorry so I don't think you 9 probably got a ticket yet.</p> <p>10 A. Twelve, yeah.</p> <p>11 Q. I waited until I was 16 before I got my 12 first speeding ticket.</p> <p>13 MR. SADOWSKI: Ditto.</p> <p>14 BY MR. BENSON:</p> <p>15 Q. All right, let's see here. So you 16 indicated that you were taken away from your dad 17 at a very young age. What was that age?</p> <p>18 A. I think I was turning three. I'm not too 19 sure. I believe I was two turning three.</p> <p>20 Q. And what's your aunt's name?</p> <p>21 A. Debbie Sowa.</p> <p>22 Q. How do you spell her last name, if you 23 know?</p> <p>24 A. S-o-w-a.</p> <p>25 Q. And where does Ms. Sowa live?</p>	<p style="text-align: center;">Page 32</p> <p>1 MR. BENSON: Oh, okay.</p> <p>2 BY MR. BENSON:</p> <p>3 Q. And you left the Boy Scouts at what age?</p> <p>4 A. It was like late 2011. I'm not too sure.</p> <p>5 Q. When did you return with your father?</p> <p>6 A. That was October --</p> <p>7 THE WITNESS: You said October 20 --</p> <p>8 MR. ANTOL: 2012.</p> <p>9 THE WITNESS: 2012.</p> <p>10 BY MR. BENSON:</p> <p>11 Q. Okay. When you were in the room with the 12 WMET officers, I'm talking about your bedroom, and 13 they instructed you to do certain things --</p> <p>14 A. Right.</p> <p>15 Q. -- were they screaming at you, yelling at 16 you? Were they polite; were they businesslike? 17 How would you describe --</p> <p>18 A. They were just businesslike I guess you'd 19 say.</p> <p>20 Q. Businesslike.</p> <p>21 A. They were just straightforward just 22 trying to get it down quick and...</p> <p>23 Q. Um-hum. So you had mentioned that, for 24 example, you wouldn't go into a gas station if you 25 saw a police officer in a gas station. Why not?</p>

Page 33	Page 35
<p>1 A. I'm just not comfortable around them.      2 Q. Why not?      3 A. Because of that, because of what      4 happened.      5 Q. Okay.      6 A. I'm just not. If I don't got to deal      7 with them I don't need to.      8 Q. Assuming, and this is just a      9 hypothetical, you don't have to agree with this,      10 but hypothetically if their coming into your house      11 and conducting a search was legal and appropriate,      12 is there something they should have done      13 differently in your mind as to how they should      14 have come in legally and appropriately and      15 searched your house?</p> <p>16 MR. ANTOL: Yeah, with a warrant.      17 MR. BENSON: I'm not talking to you.      18 I'm asking your son a question.      19 THE WITNESS: With a warrant.      20 BY MR. BENSON:      21 Q. What's that?      22 A. With a warrant.      23 Q. Okay, your dad says with a warrant. If      24 he had a warrant, assuming that, this is a      25 hypothetical question, if it was legal should he</p>	<p>1 Q. So the answer is no?      2 A. No.      3 Q. So you haven't talked to a counselor or      4 therapist or a doctor, correct?      5 A. Nope.      6 Q. And so you've not received any      7 treatment --      8 A. Nope.      9 Q. -- for this? And when I say treatment, I      10 mean, you're -- I guess correct me if I'm wrong,      11 your problem today is you're uncomfortable around      12 police officers, correct?      13 A. Right.      14 Q. Anything else?      15 A. No, I just -- no. I've just tried to      16 forget this. I just -- really the last thing I      17 want to do is think about how I got woke up with      18 two guns pointed at me, I mean, so...      19 Q. Okay, I don't have any questions.      20 MR. BOSTIC: I have one procedural      21 question. Maybe I'm getting old but did we swear      22 the witness?      23 MR. SADOWSKI: Yes.      24 MR. BENSON: No, yeah, he was sworn.      25 MR. BOSTIC: Okay.</p>
Page 34	Page 36
<p>1 have done something different?      2 A. I mean, I'm not really sure how a proper      3 way is to conduct a search in a house, so I don't      4 really have an answer for you.      5 Q. So you're uncomfortable around the police      6 because they searched the house?      7 A. Oh, yeah. I'm uncomfortable because      8 they --      9 MR. ANTOL: He's uncomfortable --      10 MR. BOSTIC: Hang on a second,      11 object to form and foundation. Go ahead.      12 BY MR. BENSON:      13 Q. You can go ahead and answer the question.      14 A. I'm just not comfortable around them.      15 The reason why I'm not comfortable is because I      16 got woken up at 12-years-old with two guns pointed      17 at me.      18 Q. Fair enough. And I think we already      19 touched this, you haven't gone to like counseling      20 with anyone to talk about this, have you?      21 A. No, I'm not comfortable talking about it.      22 Q. You haven't gone to a doctor, received      23 any diagnosis concerning this?      24 A. No. Like I said, I'm not comfortable      25 really talking about it.</p>	<p>1 MR. BENSON: Because otherwise we'd      2 have to start from the beginning.      3 MR. BOSTIC: Well, no, there's a way      4 to cure it but I just want to make sure. All      5 right, I don't have any questions.      6 MR. SADOWSKI: I don't have any      7 either.      8 MR. BENSON: We're done. Thank you      9 very much.      10 (Whereupon Deposition concluded      11 at 10:22 a.m.)      12      13      14      15      16      17      18      19      20      21      22      23      24      25</p>

Page 37

1 STATE OF MICHIGAN )  
2 ) SS  
3 COUNTY OF CLINTON )

4 I, Tamara Staley Heckaman, Certified  
5 Shorthand Reporter and Notary Public in and for  
6 the County of Clinton, State of Michigan, do  
7 hereby certify that the foregoing Deposition was  
8 taken before me at the time and place hereinbefore  
9 set forth.

10 I further certify that said witness was  
11 by me duly sworn in said cause; that the testimony  
12 then given was reported by me stenographically;  
13 subsequently with computer-aided transcription,  
14 produced under my direction and supervision; and  
15 that the foregoing is a full, true, and correct  
16 transcript of my original shorthand notes.

17 IN WITNESS WHEREOF, I have hereunto set  
18 my hand and seal this 11th day of July, 2018.  
19  
20

21 Tamara Staley Heckaman, CSR-3443,  
22 Certified Shorthand Reporter,  
23 and Notary Public, County of  
Clinton, State of Michigan.

24 My Commission Expires: 5-20-24  
25